

REMARKS

Applicant notes with appreciation the Examiner's indication that Claims 38, 41, 42, 52-54, 56, 61 and 69 have been allowed.

Claims 15 and 72 have been amended by incorporating the limitation of Claim 71 and Claim 71 has been canceled. Claim 74 is amended to depend from Claim 72. No new matter is added by the amendments as discussed below.

Rejection under 35 U.S.C. § 112, First Paragraph (Enablement)

Claims 71 and 74 were rejected as failing to comply with the enablement requirement. In particular, the Examiner stated that the Specification does not reasonably provide enablement for the full scope of inhibitors of asparaginyl endopeptidase.

Without acquiescing and solely as to expedite prosecution of the present application, the Applicant has canceled Claim 71. Therefore the rejection of Claim 71 is now moot.

Claims 15 and 72 were objected to as they were dependent on the rejected base Claim 71. The Examiner stated that Claims 15, 16, 18-20, 60, 72 and 73 would be allowable if rewritten in independent form including all of the limitation of the base Claim and any intervening Claims. Accordingly, Claim 15 has been amended to include all of the limitation of the original base Claim 71. Claims 16, 18-20, 60 and 73 are dependent upon Claim 15. In addition, Claim 72, which was dependent on the rejected base Claim 71, has been amended to include all of the limitation of the original base Claim 71. Since Claim 74 is dependent on Claim 72, it is also in compliance with 35 U.S.C. § 112, First Paragraph.

In light of the above amendments and remarks, Applicant respectfully requests the withdrawal of objections to Claims 15, 16, 18-20, 60, 72 and 73 and rejection to Claim 74. Therefore, Applicant also respectfully requests prompt allowance of the Claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or

Application No.: 09/646,950
Filing Date: December 8, 2000

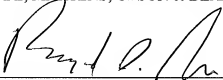
other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2 September 2008

By: 
Raymond D. Smith
Registration No. 55,634
Agent of Record
Customer No. 20,995
(949) 760-0404

5795823
081408